

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION, CLEVELAND**

R.W. BECKETT CORPORATION,	:	Case No: 1:17-cv-856
	:	
Plaintiff,	:	Judge
	:	
v.	:	<b>CONTINENTAL CASUALTY</b>
	:	<b>NOTICE OF REMOVAL</b>
	:	
CONTINENTAL CASUALTY	:	
COMPANY	:	
	:	
CNA FINANCIAL CORPORATION	:	
	:	
Defendants.	:	

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Continental Casualty Company (“Continental Casualty”) files a Notice of Removal on these grounds:

1. On or about March 17, 2017, Plaintiff R.W. Beckett Corporation (“Plaintiff”) filed a Complaint in the Lorain County Common Pleas Court captioned R.W. Beckett Corp. v. Continental Casualty Co. et al., 17 CV 191911 (Lorain Common Pleas, Ohio).
2. Pursuant to 28 U.S.C. § 1446(a), all process, pleadings, and orders to date in this action are attached as Exhibit A.
3. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because a copy of the Complaint in this action was provided by e-mail to Continental Casualty Company on March 22, 2017, which is less than thirty days from today’s date. This was Continental Casualty’s first receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.
4. Sufficiency of process and service of process is not waived by Continental Casualty.
5. Pursuant to 28 U.S.C. §1441(a), this civil action is removeable because this Court has original jurisdiction under 28 U.S.C. § 1332.
6. Pursuant to 28 U.S.C. §1332(a)(1), the Complaint in this action pleads that Plaintiff is an Ohio corporation and with an Ohio principal place of business for purposes of diversity of citizenship. See Complaint at ¶2.

7. Pursuant to 28 U.S.C. §1332(a)(1), the Complaint is this action pleads that Defendants are Illinois and Delaware corporations with Illinois principal places of business for purposes of diversity of citizenship, which is correct. See Id. at ¶¶3-4.
8. Pursuant to 28 U.S.C. §1332(a), the amount in controversy exceeds \$75,000.00 because Plaintiff has claimed damages of \$1,927,062.24 in claim related costs to defend and \$379,250.00 in settlements as damages. See Id. at ¶¶40-41.
9. Pursuant to 28 U.S.C. §1446(b)(2)(A), all Defendants join in this Notice of Removal. See Affidavit of D. Lehman dated April 17, 2017 at ¶2 (Exhibit B).
10. Pursuant to 28 U.S.C. §115(a)(1), removal is proper to the Federal Court for the Northern District of Ohio because this case was filed in Lorain County, Ohio.
11. Pursuant to N.D. Ohio L.R. 3.8(a), venue in Cleveland, Ohio in the Eastern Division of the Federal Court for the Northern District of Ohio is proper because this case was filed in Lorain County, Ohio.
12. Continental Casualty will give written notice of filing of this Notice of Removal to all parties as required by 28 U.S.C. § 1446(d) and will file a copy of this Notice of Removal with the Clerk of the Lorain County Ohio Common Pleas Court.

WHEREFORE, Continental Casualty prays that this cause be removed from the Lorain County Court of Common Pleas to this Court, the United States District Court, Northern District of Ohio, Eastern Division, for trial and determination.

Respectfully Submitted,

s/ David W. Walulik

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Trial Attorney for Defendant,  
Continental Casualty Company

Dated: April 21, 2017

**CERTIFICATE OF SERVICE**

This is to certify that on April 21, 2017, a true and correct copy of the foregoing was served upon the following electronically and also by United States Mail:

**For R.W. Beckett Corporation**

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**For CNA Financial Corporation**

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s/ David W. Walulik

David W. Walulik

Dated: April 21, 2017